



General Assembly

Substitute Bill No. 455

February Session, 2010

* ____SB00455GAE__042010__ *

**AN ACT CONCERNING THE CONNECTICUT SPORTS AND
MARKETING CORPORATION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2010*) On or before January 1, 2011,
2 and annually thereafter, the Connecticut Sports and Marketing
3 Corporation, established in section 2 of this act, shall provide a report
4 to the Governor and to the joint standing committee of the General
5 Assembly having cognizance of matters relating to commerce. The
6 report shall summarize the corporation's annual budget and activities,
7 including, but not limited to, the economic impact that sports and
8 sporting events and activities have had on the state in the preceding
9 year.

10 Sec. 2. (*Effective July 1, 2010*) (a) There is established a body politic
11 and corporate of perpetual duration to be known as the Connecticut
12 Sports and Marketing Corporation.

13 (b) The board of directors of the corporation shall have the power to
14 adopt and amend bylaws on behalf of, and for the governance of the
15 affairs of, the corporation.

16 (c) The corporation shall operate under the management of its board
17 of directors, which shall be self-perpetuating. The initial board of
18 directors shall consist of not more than twenty-one members,

19 excluding ex-officio members. The first board of directors shall be
20 appointed by the members of the Sports Advisory Board, established
21 pursuant to section 10-425 of the general statutes, and shall include: (1)
22 One member who shall be knowledgeable on raising funds from
23 private sources to promote and market sports and sporting events and
24 activities; (2) four members from The University of Connecticut or the
25 Connecticut State University System, as defined in section 10a-1 of the
26 general statutes, or a private university or college, one each of whom
27 shall represent the western, southern, central and eastern parts of the
28 state; (3) one member who shall represent a state-wide business
29 organization; (4) three members who shall represent sports venues or
30 arenas capable of hosting events with ten thousand or more spectators
31 or attendees; (5) four members who shall represent professional sports,
32 including, but not limited to, golf, tennis, auto racing, baseball, boxing
33 and hockey; (6) six members who shall represent amateur sports
34 associations or organizations; and (7) two members who shall
35 represent state amateur sports festivals. Thereafter, members shall be
36 elected as provided in the bylaws of the corporation. The bylaws shall
37 provide that the Commissioner of Economic and Community
38 Development, the Secretary of the Office of Policy and Management,
39 the executive director of the Commission on Culture and Tourism, the
40 chairpersons and ranking members of the joint standing committee of
41 the General Assembly having cognizance of matters relating to
42 commerce, or their respective designees, shall be ex-officio members of
43 the board of directors who may not vote or be counted in determining
44 a quorum, as provided in the bylaws. As may be further provided in
45 the bylaws, the terms of elected members of the board of directors may
46 be staggered by dividing the members into up to three groups so that
47 approximately an equal number of such members have terms that
48 expire each year.

49 Sec. 3. (*Effective July 1, 2010*) (a) The general purpose of the
50 corporation is to promote, attract, retain and market amateur,
51 collegiate, semiprofessional and professional sports and sporting
52 events and activities, as such sports, events and activities contribute

53 significantly to the economic vitality and quality of life in Connecticut.

54 (b) The powers of the Connecticut Sports and Marketing
55 Corporation board shall include, but are not limited to:

56 (1) Developing incorporated bylaws necessary to conduct business
57 and to develop an organizational structure;

58 (2) Preparing and defining long-range and short-range goals and
59 performance objectives for the corporation;

60 (3) Establishing a structure of dues for membership organizations
61 and individuals;

62 (4) Establishing and assigning committees and committee
63 chairpersons to accomplish specific goals and objectives. Said
64 committees may be comprised of both board members and nonboard
65 members with expertise in the work of the corporation;

66 (5) Providing general oversight of the corporation's sponsorship and
67 fundraising activities, including the establishment of general
68 fundraising policies and guidelines;

69 (6) Assisting in marketing of state sporting events and providing
70 support to other state groups competing for additional sporting events
71 and opportunities;

72 (7) Maintaining an inventory of all amateur, collegiate,
73 semiprofessional and professional sports and sporting events in
74 Connecticut and maintaining a web site of scheduled sporting
75 activities and events state-wide;

76 (8) Representing the state at industry-related events and
77 tradeshow;

78 (9) Establishing a nonprofit foundation and raising funds from
79 private sources to encourage the development, promotion and
80 marketing of sports events and activities in the state;

81 (10) Performing such other acts as may be necessary or appropriate
82 to carry out the objectives and mission of the corporation; and

83 (11) Acquiring or receiving property or money for its purposes by
84 the acceptance of loans, contributions, gifts, grants, donations,
85 bequests or devises whether from federal, state, public or private
86 sources.

87 Sec. 4. (*Effective July 1, 2010*) In addition to the powers set forth in
88 section 3 of this act, the corporation may engage in any lawful act and
89 activity consistent with sections 2 and 3 of this act for which
90 corporations may be formed under chapter 602 of the general statutes,
91 the Revised Nonstock Corporation Act, or any successor act, including,
92 but not limited to: (1) All powers conferred upon corporations or
93 organizations by the general statutes; (2) to sue and be sued, complain
94 and defend in its corporate name; (3) to purchase, receive, lease or
95 otherwise acquire, and own, hold, improve, use and otherwise deal
96 with real or personal property, or any legal or equitable interest in
97 property, wherever located, including the power to take property of
98 any description or any interest therein by gift, devise or bequest; (4) to
99 sell, convey, mortgage, pledge, lease, exchange or otherwise dispose of
100 all or any part of its property; (5) to purchase, receive, subscribe for or
101 otherwise acquire, own, hold, vote, use, sell, mortgage, lend, pledge or
102 otherwise dispose of, and deal in and with shares or other interests in,
103 or obligations of, any other entity; (6) to make contracts and
104 guarantees, incur liabilities, borrow money, issue its notes, bonds and
105 other obligations, and secure any of its obligations by mortgage or
106 pledge of any of its property, franchises or income; (7) to invest and
107 reinvest its funds; (8) to conduct its activities, locate offices and
108 exercise the powers granted by section 2 to 14, inclusive, of this act
109 within or without this state; (9) to appoint officers, employees and
110 agents of the corporation, define their duties and fix their
111 compensation; (10) to make donations not inconsistent with law for the
112 public welfare or for charitable, scientific or educational purposes and
113 for other purposes that further the corporate interest; (11) to make
114 payments or donations, or do any other act, not inconsistent with law,

115 that furthers the activities and affairs of the corporation; and (12) to do
116 all acts and things necessary or convenient to carry out the purposes of
117 sections 2 to 14, inclusive, of this act.

118 Sec. 5. (*Effective July 1, 2010*) Neither the net earnings of the
119 corporation nor any part thereof may be distributed to or inure to the
120 benefit of any private individual or a director or officer of the
121 corporation. Nothing in sections 2 to 14, inclusive, of this act, shall
122 restrict the right of the corporation to reasonably compensate any
123 officer or director for services rendered to the corporation or to
124 reimburse any officer or director for expenses, disbursements or
125 liabilities properly made or incurred on account of that officer's or
126 director's service to the corporation.

127 Sec. 6. (*Effective July 1, 2010*) No substantial part of the activities of
128 the corporation may consist of carrying on propaganda or attempting
129 to influence legislation. The corporation may not participate in or
130 intervene in any political campaign on behalf of or in opposition to any
131 candidate for public office, including the publication or distribution of
132 statements.

133 Sec. 7. (NEW) (*Effective July 1, 2010*) It shall not constitute a conflict
134 of interest for a trustee, director, partner or officer of any person, firm
135 or corporation, or any individual having a financial interest in a
136 person, firm or corporation, to serve as a member of the board of
137 directors of the Connecticut Sports and Marketing Corporation,
138 provided such trustee, director, partner, officer or individual shall
139 abstain from deliberation, action or vote by the Connecticut Sports and
140 Marketing Corporation in specific respect to such person, firm or
141 corporation.

142 Sec. 8. (*Effective July 1, 2010*) Upon dissolution of the corporation, the
143 board of directors shall dispose of and distribute the assets remaining,
144 after payment of all liabilities, exclusively for the purposes of the
145 corporation, to one or more organizations organized exclusively for
146 charitable, educational, religious or scientific purposes which shall be

147 then exempt from federal taxation as an organization or organizations
148 described in Section 501(c)(3) of the Internal Revenue Code in such
149 proportions and amounts and in such manner as the board of directors
150 shall determine. No part of the corporation's assets shall ever be
151 distributed to its directors or officers, or inure to the benefit of any
152 private individual.

153 Sec. 9. (*Effective July 1, 2010*) The personal liability of a director of the
154 corporation to the corporation for monetary damages for breach of
155 duty as a director of the corporation shall be limited to the fullest
156 extent permitted by the general statutes or any other applicable laws
157 presently or hereafter in effect, without having to recite such limitation
158 in this section or any amendment thereof.

159 Sec. 10. (*Effective July 1, 2010*) The corporation shall provide to its
160 directors and officers the full amount of indemnification that the
161 corporation is permitted to provide to such directors and officers,
162 including, but not limited to, the advancement of expenses, pursuant
163 to the general statutes or any other applicable laws presently or
164 hereafter in effect.

165 Sec. 11. (*Effective July 1, 2010*) The corporation and the Executive
166 Branch, or any subdivision thereof, may enter into a written agreement
167 for use by the corporation of the facilities and resources of the
168 Executive Branch, including, but not limited to, office space, storage
169 space, office furniture and equipment, utilities, photocopying services,
170 computer systems and archives and other historical materials and
171 information, provided the Executive Branch shall have no liability for
172 the obligations, acts or omissions of the corporation, and the
173 corporation need reimburse the Executive Branch only for expenses
174 the Executive Branch incurs as a result of the operations of the
175 corporation that the Executive Branch would not have otherwise
176 incurred.

177 Sec. 12. (*Effective July 1, 2010*) As used in sections 2 to 14, inclusive,
178 of this act "Internal Revenue Code" means the Internal Revenue Code

179 of 1986, or any subsequent corresponding internal revenue code of the
 180 United States, as amended from time to time. References in sections 2
 181 to 14, inclusive, of this act to a section of the Internal Revenue Code
 182 shall be construed to refer to both such section and to the regulations
 183 promulgated thereunder, or any successor section, as it now exists or
 184 may hereafter be amended.

185 Sec. 13. (*Effective July 1, 2010*) The corporation's registered office and
 186 registered agent shall be as provided in the bylaws of the corporation.

187 Sec. 14. (*Effective July 1, 2010*) A copy of sections 2 to 14, inclusive, of
 188 this act shall be filed with the Secretary of the State, in accordance with
 189 the requirements of section 33-1201 of the general statutes, not later
 190 than one hundred twenty days after the first meeting of the board of
 191 directors.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2010</i>	New section
Sec. 2	<i>July 1, 2010</i>	New section
Sec. 3	<i>July 1, 2010</i>	New section
Sec. 4	<i>July 1, 2010</i>	New section
Sec. 5	<i>July 1, 2010</i>	New section
Sec. 6	<i>July 1, 2010</i>	New section
Sec. 7	<i>July 1, 2010</i>	New section
Sec. 8	<i>July 1, 2010</i>	New section
Sec. 9	<i>July 1, 2010</i>	New section
Sec. 10	<i>July 1, 2010</i>	New section
Sec. 11	<i>July 1, 2010</i>	New section
Sec. 12	<i>July 1, 2010</i>	New section
Sec. 13	<i>July 1, 2010</i>	New section
Sec. 14	<i>July 1, 2010</i>	New section

CE Joint Favorable Subst.

GAE Joint Favorable